

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

DIANA JAY,

Plaintiff,

v.

SPECIALIZED LOAN SERVICING, LLC,

Defendant.

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Civil Action No. 4:19-cv-680-RWS-KPJ

ORDER

The above-titled and numbered action was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636. On August 23, 2021, the Magistrate Judge entered proposed findings of fact and recommendation (the “Report”) (Docket No. 41) that Defendant Specialized Loan Servicing, LLC’s (“SLS”) Motion for Summary Judgment (the “Motion”) (Docket No. 33) be granted.

Because no objections to the Magistrate Judge’s Report have been filed, neither party is entitled to *de novo* review by the District Judge of those findings, conclusions, and recommendations, and except on grounds of plain error, they are barred from appellate review of the unobjected-to factual findings and legal conclusions accepted and adopted by the District Court. *Douglass v. United Servs. Auto. Assoc.*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc), *superseded by statute on other grounds*, 28 U.S.C. § 636(b)(1) (extending time to file objections from ten to fourteen days). Nonetheless, the Court has reviewed the Motion (Docket No. 33) and the Magistrate Judge’s Report (Docket No. 41) and agrees with the Report. *See United States v. Raddatz*, 447 U.S. 667, 683 (1980) (“[T]he statute permits the district court to give the magistrate’s proposed findings of fact and recommendations ‘such weight as [their] merit commands and the

sound discretion of the judge warrants.’ ”) (quoting *Mathews v. Weber*, 423 U.S. 261, 275 (1976). Accordingly, it is hereby

ORDERED that the Magistrate Judge’s report and recommendation (Docket No. 41) is **ADOPTED** as the opinion of this Court. SLS’s Motion (Docket No. 33) is **GRANTED**.

So ORDERED and SIGNED this 9th day of September, 2021.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE